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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION**  
(37 CFR 1.63)

Declaration  
Submitted  
with Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number 55915/79422

First Named Inventor McDonald

**COMPLETE IF KNOWN**

Application Number

Filing Date

Art Unit

Examiner Name

As the below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SURGICAL INSTRUMENT AND METHOD FOR CORNEAL REFORMATION

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY)  

as United States Application Number or PCT International

Application Number   and was amended on (MM/DD/YYYY)   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input type="checkbox"/>	Customer Number or Bar Code Label	OR <input checked="" type="checkbox"/> Correspondence address below
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Name	Martin Korn LOCKE LIDDELL & SAPP LLP		
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Address	2200 Ross Avenue, Suite 2200		
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City	Dallas	State	TX
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Country	US	Telephone	214.740.8549
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Fax	214.740.8800
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
---------------------------------	---

Given Name (first and middle [if any])	Marguerite B.	Family Name or Surname	McDonald
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Inventor's Signature			
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Date	11/7/01
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Residence: City	New Orleans	State	LA	Country	US	Citizenship	US
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Mailing Address	2858 Chestnut Street					
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City	New Orleans	State	LA	ZIP	70115	Country	US
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NAME OF SECOND INVENTOR:	<input type="checkbox"/> A petition has been filed for this unsigned inventor
--------------------------	---

Given Name (first and middle [if any])				Family Name or Surname			
---	--	--	--	---------------------------	--	--	--

Inventor's Signature				Date			
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Residence: City		State		Country		Citizenship	
-----------------	--	-------	--	---------	--	-------------	--

Mailing Address						
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City		State		ZIP		Country	
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<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) (if any) PTO/SB/02A attached hereto.
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Please type a plus sign (+) inside this box



PTO/SB/81 (02-01)

Approved for use through 10/31/2002, OMB 0651-0035

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	
First Named Inventor	McDonald
Title	Surgical Instruments and Method*
Group Art Unit	
Examiner Name	
Attorney Docket Number	55915/79422

\*For Corneal Reformation

I hereby appoint:

Practitioners at Customer Number

Place Customer  
Number Bar Code  
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OR

Practitioner(s) named below:

Name	Registration Number
Martin Korn	28,317
Roy W. Hardin	28,304
Montyl. Ross	28,899
William D. Jackson	10,846

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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Address	2200 Ross Avenue
Address	Suite 2200
City	Dallas
Country	US
Telephone	214.740.8000
	Fax

I am the:

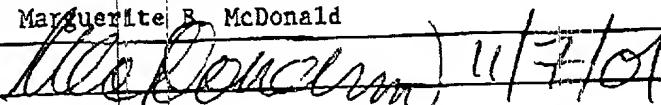
Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name Marguerite B. McDonald

Signature

 11/7/01

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, (see below).

Total of 1 forms are submitted.

Button Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.